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April 26, 2024

Via ECF

Hon. Mary Kay Vyskocil, U.S.D.J.
U.S.D.C., Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

RE: Integral Contracting, Inc. v. Allied World Assurance Company (U.S.), Inc. et al
Civil Action No.: 1:23-cv-08857
Pre-Answer Motion to Dismiss

Dear Judge Vyskocil:

This firm represents defendant Allied World Assurance Company (U.S.), Inc. ("Allied World") in the above-referenced matter. We are writing to respectfully request, jointly with Integral Contracting, Inc. ("Integral") and Axis Insurance Company ("Axis"), that the Defendants' Motions to Dismiss be held in abeyance and not ruled upon pending an upcoming settlement conference.

In Hotel 57 LLC's underlying litigation against Integral, coverage for which is the subject of this action, the Court referred the matter to Magistrate Judge Cave for a settlement conference, and a telephone conference has been scheduled for April 29, 2024 for the purpose of scheduling said settlement conference (1:22-cv-02554-JHR, Dkt. Entry No. 158). At Integral's request, Allied World and Axis have agreed to participate in the telephone conference and to-be-scheduled settlement conference.

Integral, Axis and Allied World have collectively agreed to submit this request that the Motions to Dismiss filed by Axis and Allied World and now fully briefed be held in abeyance until the parties have had an opportunity to complete the settlement conference. We thank Your Honor for your attention to this matter and consideration of the parties' request.

Respectfully submitted,

/s/ Kevin M. Haas

KEVIN M. HAAS

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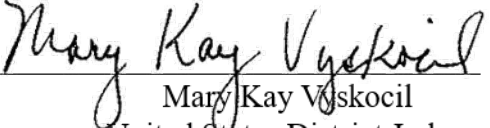
cc: **Via ECF**

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GRANTED. The parties are DIRECTED to file a letter informing the Court of the status, but not the substance, of settlement no later than May 13, 2024. SO ORDERED.

Date: 4/29/2024
New York, New York


Mary Kay Vyskocil
United States District Judge